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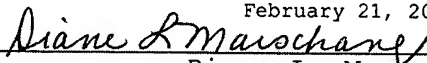
Please type a plus sign (+) inside this box ☐Attorney Docket P1007R1C1
PATENT

EV 016 026 884 US: Expr ss Mail Number

February 21, 2002: Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to "Assistant Commissioner of Patents, Washington, D.C. 20231."

February 21, 2002



Diane L. Marschang

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION
Assistant Commissioner of Patents
Washington, D.C. 20231

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Avi J. Ashkenazi

Title: APO-2LI AND APO-3 POLYPEPTIDES

1. Type of Application

- ☐ This application is for an original, non-provisional application.
- ☐ This is a non-provisional application claiming priority to provisional application no. __, filed __, the entire disclosure of which is hereby incorporated by reference.
- ☒ This is a ☐ continuation-in-part ☒ continuation ☐ divisional application claiming priority to application Serial Number 08/829,270, filed March 31, 1997, the entire disclosure of which is hereby incorporated by reference.

2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)

93 pages of specification
5 pages of claims
1 pages of abstract
13 sheet(s) of drawings
☒ formal ☐ informal

3. Declaration or Oath

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)
 ___ An executed declaration of the inventor(s) ☐ is enclosed ☐ will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)

#105006

JCS11 U.S. PTO
02/21/02

J1050 U.S. PTO
10/08/01
02/21/02

☒ A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)

☐ A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)

☐ An Assignment of the invention to GENENTECH, INC. [] is enclosed with attached Recordation Form Cover Sheet [] will follow.

(for cont./div.)

☒ The prior application is assigned of record to Genentech, Inc.

5. Amendments (for continuation and divisional applications)

☒ Cancel in this application original claims 1-25 and 27-45 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$740.00
Total Claims	16	- 20 =	0	X \$18.00	\$0.00
Independent Claims	3	- 3 =	0	X \$84.00	\$0.00
Multiple dependent claim(s), if any				+ \$280.00	\$0.00
Filing Fee Calculation					\$740.00

7. Method of Payment of Fees

☒ The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$740.00. **A duplicate copy of this transmittal is enclosed.**

8. Authorization to Charge Additional Fees

X The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

9. Additional Papers Enclosed

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
☒ Submission of "Sequence Listing" (paper copy), and Request to Use Computer Readable Sequence and Certificate re Sequence Listing.
☐ A new Power of Attorney or authorization of agent.
☐ Other:

10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

[This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run]

- _____ A petition, fee and/or response has been filed to extend the term in the pending prior application until
 X A copy of the petition for extension of time in the **prior** application is attached.

11. Correspondence Address:

X Address all future communications to:

Attn: Diane L. Marschang

Respectfully submitted,
GENENTECH, INC.

Date: February 21, 2002

By: Diane L. Marschang
Diane L. Marschang
Reg. No. 35,600
Telephone No. (650) 225-5416



09157

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	Group Art Unit: 1653
Avi J. Ashkenazi	Examiner: G. Bugaisky
Serial No.: 08/829,270	CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on February <u>21</u> , 2002 <i>Diane L. Marschang</i> Diane L. Marschang
Filed: March 31, 1997	
For: APO-2LI AND APO-3 POLYPEPTIDES	

J1050 U.S. PTO
 10/081280
 02/21/02

PETITION AND FEE FOR FOUR MONTH EXTENSION OF TIME
(37 CFR 1.136(a))

Assistant Commissioner of Patents
 Washington, D.C. 20231

Sir:

A Notice of Appeal and Petition to Extend Time, for the above referenced application, was mailed on August 24, 2001 extending the time for response to the Final Office Action dated February 27, 2001 to August 27, 2001. The new time for response is October 24, 2001. Applicant petitions the Commissioner of Patents and Trademarks to extend the time for response for four months from October 24, 2001 to February 24, 2002. The extended time for response does not exceed the statutory period.

Please charge Deposit Account No. 07-0630 in the amount of \$1,440 to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to this deposit account. A duplicate of this sheet is enclosed.

Respectfully submitted,

GENENTECH, INC.

Date: February 21, 2002

By: *Diane L. Marschang*
 Diane L. Marschang
 Reg. No. 35,600
 Telephone No. (650) 225-5416



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